



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,008	10/11/2005	Yuka Matsushita	2005_1584A	1283
52349 7590 06/25/2008 WENDEROTH, LIND & PONACK L.L.P. 2033 K. STREET, NW SUITE 800 WASHINGTON, DC 20006				
EXAMINER				
DAGLAWI, AMAR A				
ART UNIT		PAPER NUMBER		
2618				
MAIL DATE		DELIVERY MODE		
06/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/553,008

Applicant(s)

MATSUSHITA ET AL.

Examiner

Amar Daglawi

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 7-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Response to Amendment

Claims 1, 7-15 are pending in this application. Claims 2-6 are cancelled. Amendment has been entered.

Response to Argument

1. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 7-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Hasegawa (US 2004/0072592 A1).

4. With respect to claim 1, Hasegawa teaches A wireless communication terminal capable of performing a contact less communication and at least one wireless communication comprising:

a first wireless communications section operable to perform a wireless communication via a communications network (Fig.2, Fig.3, par [0025]);

a second wireless communications section operable to perform a contactless communication with a predetermined reader/writer based on a command (Fig.3, #15, #2, par [0034;0048]). [authentication information is the command]

a wireless communications control section (Fig.3, #14) operable to analyze in response to an initiation of a contact less communication performed by said second wireless communications section a command received by said second wireless communications section, deactivate said first wireless communication when the command received is requesting access to a tamper resistant memory (TRM) area or a secure flash memory in a memory management area (memory, 17) and temporarily deactivate said first wireless communication section when the command received is requesting access to a general area in the memory management area (Figs.2-5, Figs7-8, par [0034;0048]) [A typical portable device contains a secure non-volatile memory card. A typical state of a mobile is stored in a memory management area which is accessed as taught in Fig.5] [When the user puts the mobile containing the contactless card over a reader/writer a set state of the mobile is changed and a manner mode of the mobile is changed and becomes a no-tone mode. Thus, deactivating the first wireless section. When the control unit of the mobile receives on/off mode from the contactless card, it performs the on/off switch of the restricted place mode in which a plurality of settings is changed and the set state of the mobile is stored in the memory (which is secure flash memory inherent in a typical mobile. Also, it is released from the restricted mode when it receives an off mode information from the reader/writer via a contactless

card. Thus a temporary deactivation of the first wireless communication section since the mobile is set in a manner mode according to the information from the reader/writer]

5. With respect to claim 7, Hasegawa further teaches a timer section operable to detect an elapse of a predetermined amount of time since an initiation of a contactless communication wherein said wireless communications control section removes a restriction on a wireless communication via a communications network performed by said first wireless communication section based on the detection of An elapse of the predetermined time by said timer section (par [0034-0041]) [the control unit inherently contains a timer which controls an on/off mode].

6. With respect to claim 8, Hasegawa further teaches wherein the said wireless communication control section starts restricting a wireless communication via a communications network performed by said first wireless communication section on an instruction for a user (par [0034;0041]).

7. With respect to claim 9, Hasegawa further teaches said wireless communication control section deactivates or temporarily deactivates a wireless communication via the communications network performed by said first wireless communication section based on an instruction from a user (Fig.3, par [0034;0041], Fig.1)

8. With respect to claim 10, Hasegawa further teaches a second wireless communication control section operable to restrict a contactless communication performed by said second wireless communication section based on an instruction from the user (Fig.3, par [0034;0041], Fig.1).

9. With respect to claim 11, Hasegawa further teaches the wireless communications control section also restricts a contactless communication performed by said second wireless communications section in such a manner that either one of the contactless communication and the wireless communication via the communication network is restricted at a time based on an instruction from the user (Fig.3, par [0034;0041], Fig.1).
10. With respect to claim 12, Hasegawa further teaches a timer section operable to detect an elapse of a predetermined amount of time since an initiation of a contactless communication wherein said wireless communications control section removes a restriction on a wireless communication via a communications network performed by said first wireless communication section based on the detection of An elapse of the predetermined time by said timer section (par [0034-0041]) [the control unit inherently contains a timer which controls an on/off mode].

With respect to claim 13, Hasegawa teaches A communications protocol switching method used by a wireless communications terminal comprising a first wireless communications section for performing at least one wireless communication via a communications network and a second wireless communications section for performing a contactless communication with a predetermined reader/writer based on a command, the method:

11. Determining an initiation of contactless communication performed by the second wireless communications section; (Fig.3, #15, #2, par [0034; 0041]).[authentication information is the command] (Fig.2, Fig.3, par [0025]);

12. Analyzing, in response to the contactless communication, a command received by the second wireless communications section; and (Fig.3, #15, #2, par [0034; 0048]). [authentication information is the command] (Fig.2, Fig.3, par [0025]);

13. Deactivating the first wireless communications section when the received command is requesting access to a tamper resistant memory (TRM) area or a secure flash memory in a memory management area, and temporarily deactivating the first wireless communications section when the received command is requesting access to a general area in the memory management area (Figs.2-5, Figs7-8, par [0034; 0048]) [A typical portable device contains a secure non-volatile memory card. A typical state of a mobile is stored in a memory management area which is accessed as taught in Fig.5] [When the user puts the mobile containing the contactless card over a reader/writer a set state of the mobile is changed and a manner mode of the mobile is changed and becomes a no-tone mode. Thus, deactivating the first wireless section. When the control unit of the mobile receives on/off mode from the contactless card, it performs the on/off switch of the restricted place mode in which a plurality of settings is changed and the set state of the mobile is stored in the memory (which is secure flash memory inherent in a typical mobile. Also, it is released from the restricted mode when it receives an off mode information from the reader/writer via a contactless card. Thus a temporary deactivation of the first wireless communication section since the mobile is set in a manner mode according to the information from the reader/writer].

14.

With respect to claim 14, Hasegawa teaches A communications protocol switching program stored on a computer-readable medium that is executed by a wireless communications terminal-including a first wireless communications section for performing at least one wireless communication via a communications network other and a second wireless communications section for performing a contactless communications communication with a predetermined reader/writer based on a command, the program causing the wireless communications terminal to perform the steps of:

15. Determining initiation of a contactless communication performed by the second wireless communications section; and (Fig.3, #15, #2, par [0034; 0048]).[authentication information is the command] (Fig.2, Fig.3, par [0025]);
16. Analyzing, in response to the contactless communication, a command received by the second wireless communications section; and (Fig.3, #15, #2, par [0034; 0048]). [authentication information is the command] (Fig.2, Fig.3, par [0025]);
17. Deactivating the first wireless communications section when the received command is requesting access to a tamper resistant memory (TRM) area or to a secure flash memory in a memory management area, and temporarily deactivating the first wireless communications section when the received command is requesting access to a general area in the memory management area. (Figs.2-5, Figs7-8, par [0034; 0048]) [A typical portable device contains a secure non-volatile memory card. A typical state of a mobile is stored in a memory management area which is accessed as taught in Fig.5]. [When the user puts the mobile containing the contactless card over a reader/writer a

set state of the mobile is changed and a manner mode of the mobile is changed and becomes a no-tone mode. Thus, deactivating the first wireless section. When the control unit of the mobile receives on/off mode from the contactless card, it performs the on/off switch of the restricted place mode in which a plurality of settings is changed and the set state of the mobile is stored in the memory (which is secure flash memory inherent in a typical mobile. Also, it is released from the restricted mode when it receives an off mode information from the reader/writer via a contactless card. Thus a temporary deactivation of the first wireless communication section since the mobile is set in a manner mode according to the information from the reader/writer].

18.

19. With respect to claim 15, Hasegawa teaches An integrated circuit used in a wireless communications terminal capable of performing a contactless communication and at least one wireless- communication, the wireless communications terminal including a first wireless communications section for performing a wireless communication via a communications network other than and a second wireless communications section for performing a contactless communications communication with a predetermined reader/writer based on a command;-and, the integrated circuit comprising: a circuit functioning as a wireless communications control section operable to (i) analyze, in response to an initiation of a contactless communication performed by the second wireless communications section, a command received by the second wireless communications section. (ii) deactivate the first wireless communications section when the received command is requesting access

to a tamper resistant memory (TRM) area or a secure flash memory in a memory management area. and (iii) temporarily deactivate the first wireless communications section when the received command is requesting access to a general area in the memory management area (Figs.2-5, Figs7-8, par [0034; 0048]) [A typical portable device contains a secure non-volatile memory card. A typical state of a mobile is stored in a memory management area which is accessed as taught in Fig.5]. (Fig.3, #15, #2, par [0034; 0048]). [authentication information is the command] (Fig.2, Fig.3, par [0025]); [When the user puts the mobile containing the contactless card over a reader/writer a set state of the mobile is changed and a manner mode of the mobile is changed and becomes a no-tone mode. Thus, deactivating the first wireless section. When the control unit of the mobile receives on/off mode from the contactless card, it performs the on/off switch of the restricted place mode in which a plurality of settings is changed and the set state of the mobile is stored in the memory (which is secure flash memory inherent in a typical mobile. Also, it is released from the restricted mode when it receives an off mode information from the reader/writer via a contactless card. Thus a temporary deactivation of the first wireless communication section since the mobile is set in a manner mode according to the information from the reader/writer].

20.

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amar Daglawi whose telephone number is 571-270-1221. The examiner can normally be reached on Monday- Friday (7:30 AM- 5:00 AM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lana N. Le can be reached on 571-272-7891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amar Daglawi/
Examiner, Art Unit 2618

/Lana N. Le/
Acting SPE of Art Unit 2618